

13-19-00379-CV

No. 13-19-00379

---

**Court Of Appeals For The Thirteenth District of Texas**

FILED IN  
13th COURT OF APPEALS  
CORPUS CHRISTI/EDINBURG, TEXAS  
1/10/2020 10:20:53 AM  
KATHY S. MILLS  
Clerk

---

VALSTAY, LLC

Plaintiff - Appellant

v.

TEXAS WINDSTORM INSURANCE ASSOCIATION,

Defendant – Appellee

---

On Appeal from the Nueces County 28<sup>th</sup> District Court  
District of Texas  
CIVIL ACTION NO.: 2017DCV-4203-A

---

**UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE APPELLANT’S BRIEF**

---

TO THE HONORABLE JUSTICES OF THE FIFTH CIRCUIT:

Appellant Valstay, LLC files this unopposed motion to extend the time for Valstay to file its paper copies of Appellant’s brief with the clerk of court. In support of this motion, Valstay will show this honorable court as follows:

1. By this motion, Appellant seeks an extension of time of thirty-two days or until Monday, February 17, 2020 to file paper copies of Appellant’s brief, which is currently due on Wednesday, January 15, 2020. This motion is Appellant’s first request for an extension of time

to file his paper copies with the Court. Appellee, Texas Windstorm Insurance Association, is not opposed to this extension.

2. Appellant needs additional time since Valstay's counsel is currently preparing for trial in the 191<sup>st</sup> Judicial District Court in Dallas County, Texas which is currently set on February 3, 2020. Additionally, Plaintiff's counsel has multiple hearings and matters set during this month of January which as caused a delay in the time needed to prepare this brief.

WHEREFORE, PREMISES CONSIDERED, Valstay, requests that the court grant it an extension of time to file Appellant's brief with the court until Monday, February 17, 2020 and award Appellant such other relief as may be proper.

Respectfully submitted,

*Loree & Lipscomb,*  
777 E. Sonterra Blvd., Suite 320  
San Antonio, Texas 78258  
Telephone: (210) 404-1320  
Facsimile: (210) 404-1310

By: /s/ Todd Lipscomb  
Todd Lipscomb  
State Bar No. 00789836  
Email: [todd@lhllawfirm.com](mailto:todd@lhllawfirm.com)

Attorney for Appellant

### **CERTIFICATE OF CONFERENCE**

On January 7, 2020, during a telephone conversation, Appellee's counsel, J. Stephen Barrick, informed Appellant's counsel, Todd Lipscomb, that Appellee was not opposed to this motion for an extension of time.

/s/ Todd Lipscomb  
Todd Lipscomb

**CERTIFICATE OF SERVICE**

I hereby certify that on January 1, 2020, Appellant served a true and correct copy of this motion on counsel for Appellee, Stephen Barrick, through the Court's electronic filing system.

David P. Salyer  
802 Rosenberg  
P.O. Box 629  
Galveston, Texas 77553

J. Stephen Barrick  
James R. Old., Jr.  
Hicks Thomas LLP  
700 Louisiana Street, Suite 2000  
Houston, Texas 77002

/s/ Todd Lipscomb  
Todd Lipscomb